

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

FILED  
03 SEP 16 PM 3:22  
U.S. DISTRICT COURT  
N.D. OF ALABAMA

NORMAN GARFIELD THORNTON, SR., )

Petitioner, )

v. )

CIVIL ACTION NO. 03-PT-0477-S

CAPTAIN BEN KING, BIRMINGHAM )  
CITY JAIL, )

Respondents. )

ENTERED

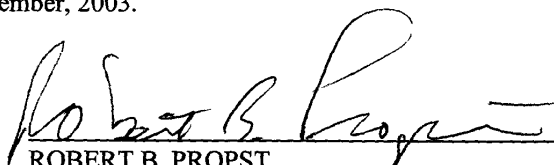
SEP 16 2003

MEMORANDUM OF OPINION

The court has considered the entire file in this action together with the Magistrate Judge's Report and Recommendation and has reached an independent conclusion that the Magistrate Judge's Report and Recommendation is due to be adopted and approved. The court hereby adopts and approves the findings and recommendation of the magistrate judge as the findings and conclusions of the court. In accord with the recommendation, this petition for writ of habeas corpus is due to be dismissed without prejudice.

An appropriate order will be entered.

DONE, this 16<sup>th</sup> day of September, 2003.

  
ROBERT B. PROPST  
SENIOR UNITED STATES DISTRICT JUDGE

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